

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL POSTAGE PREPAID IN AN ENVELOPE ADDRESSED TO: Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450, ON THE DATE NOTED BELOW MY SIGNATURE

Daniel B. Ruble Registration No. 40,794

DATE: June 9, 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Bertram et al

Group Art Unit:

3728

Serial No.:

10/771,616

Examiner:

J. Foster

Filing Date:

February 4, 2004

Docket No.:

D-20091-02

Title:

Foam in bag packaging system and method for producing the same

Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

## TERMINAL DISCLAIMER PURSUANT TO 37 C.F.R. § 321(c)

I, Daniel B. Ruble, represent that I am an attorney of record in the above-identified patent application.

Sealed Air Corporation (US), the owner of a 100 percent interest in the above-identified application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154-56 and 173 of any of the prior patents forming the basis of a double patenting rejection -- namely, U.S. Patents 5,699,902; 5,899,325; and 6,712,201. Any patent granted on the above-identified application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the above-identified application and is binding upon the grantee, its successors, or assigns.

In making this disclaimer, no terminal part of any patent granted on the above-identified application before the expiration date of the full statutory term of any of prior U.S. Patents 5,699,902; 5,899,325; and 6,712,201 is disclaimed if the relevant prior patent: (1) expires for failure to pay a maintenance fee; (2) is held unenforceable or is found invalid by a court of competent jurisdiction; (3) is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321; (4) has all claims canceled by a reexamination

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certificate; (5) is reissued; or (6) is otherwise terminated before the expiration of its full statutory term.

Please charge the fee required by 37 C.F.R. § 1.20(d), believed to be \$110, as well as charging any additional fees or crediting any overpayments, to Deposit Account No. 07-1765.

Any questions regarding this submission should be directed to the attention of the undersigned.

Date: June 9, 2005

Sealed Air Corporation P.O. Box 464 Duncan, SC 29334 864/433-2496 Respectfully submitted,

Daniel B. Ruble

Registration No. 40,794